

DEC 16 2004

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/883,705	
	Filing Date	June 18, 2001	
	First Named Inventor	Hubert	
	Art Unit	1714	
	Examiner Name	Toomer, Cepha D.	
Total Number of Pages in This Submission	12	Attorney Docket Number	8040 US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Tyco Fire & Security		
Signature	<i>Gerald M. Bluhm</i>		
Printed name	Gerald M. Bluhm		
Date	December 13, 2004	Reg. No.	44,035

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Brenda T. Letourneau</i>		
Typed or printed name	Brenda T. Letourneau	Date	December 13, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number <b>09/883,705</b> Filing Date <b>June 18, 2001</b> First Named Inventor <b>Hubert</b> Examiner Name <b>Toomer, Cephia D.</b> Art Unit <b>1714</b> Attorney Docket No. <b>8040 US</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> <b>1,020</b>			

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number **19-1346** Deposit Account Name: **Tyco Fire & Security**  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims** 18 - 20 or (HP) = 0 x 50 = 0 **Fee Paid (\$)**  
 HP = highest number of total claims paid for, if greater than 20  
**Independent Claims** 5 - 3 or (IP) = 0 x 200 = 0 **Fee Paid (\$)**  
 IP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>180</u> - 100 = <u>80</u> / 50 = <u>1</u> (round up to a whole number) x <u>125</u> = <u>125</u>				

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Extension for Response within Third Month

**Fees Paid (\$)**\$1,020

<b>SUBMITTED BY</b>		Registration No.	Telephone
Signature	<u>Gerald M. Bluhm</u>	(Attorney/Agent) <u>44,035</u>	<u>978/731-7241</u>
Name (Print/Type)	<u>Gerald M. Bluhm</u>	Date	<u>Dec. 13, 2004</u>

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No. 09/883,705  
Reply to Office action of June 16, 2004

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DEC 13 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Hubert Confirmation No: 1042  
Serial No: 09/883,705 Group: 1714  
Filed: June 18, 2001 Examiner: Toomer, Cephia D.  
For: DYE COLORED FIRE FIGHTING FOAM CONCENTRATE

<b>Certification of Facsimile Transmission</b>	
I hereby certify that on the date shown below this correspondence, and all its attachments, are being transmitted by facsimile to the Patent and Trademark Office.	
Signature of person signing certification: _____	Date: December 13, 2004
Name of person signing certification: Brenda T. Letourneau	

**AMENDMENT UNDER RULE 111**

VIA FACSIMILE: 703-872-9306  
Assistant Commissioner for Patents  
P.O. Box 1450,  
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action of June 16, 2004, please amend the above-captioned patent application as follows:

**Amendment to the Title** is reflected on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks / Arguments** begin on page 10 of this paper.

Application No. 09/883,705  
Reply to Office action of June 16, 2004

A three-month extension of time to respond to the Office Action is respectfully requested.

Please note that a new Power of Attorney and Change of Correspondence were filed on December 9, 2004.

Application No. 09/883,705  
Reply to Office action of June 16, 2004

**Amendment to the Title**

Please amend the title to read as follows:

**METHOD FOR DETERMINING FIRE FIGHTING FOAM CONCENTRATION**